

Session 123 - (2019-2020)

H 4354 General Bill, By McCoy, Murphy, Sottile, Garvin and Simrill

Similar (S 0642)

Summary: Workers' Comp

A BILL TO AMEND SECTION 42-9-260, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COMPENSATION AND PAYMENTS IN WORKERS' COMPENSATION, SO AS TO PROVIDE WHEN EMPLOYEES SUFFER COMPENSABLE INJURIES AND RECEIVE COMPENSATION FOR THOSE INJURIES FROM THEIR EMPLOYER OR CERTAIN OTHER PARTIES UNDER THE LONGSHORE AND HARBOR WORKERS' COMPENSATION ACT, THEIR EMPLOYER OR EMPLOYER'S REPRESENTATIVE IS ENTITLED TO A DOLLAR-FOR-DOLLAR CREDIT FOR PAYMENT OF INDEMNITY BENEFITS UNDER THE LONGSHORE AND HARBOR WORKERS' COMPENSATION ACT AGAINST INDEMNITY BENEFITS DUE TO THE EMPLOYEE UNDER THE ACT FOR THE SAME INJURY, TO PROVIDE THE WORKERS' COMPENSATION COMMISSION IS NOT PREVENTED FROM AWARDING THE CREDIT ON CONCURRENT JURISDICTION CASES ARISING OUT OF ACCIDENTS OCCURRING PRIOR TO JULY 1, 2019, TO PROVIDE PAYMENT OF INDEMNITY BENEFITS BY THE EMPLOYER UNDER THE LONGSHORE AND HARBOR WORKERS' COMPENSATION ACT DOES NOT CONSTITUTE AN ELECTION OF REMEDIES BY THE EMPLOYEE UNDER EITHER THE SOUTH CAROLINA WORKERS' COMPENSATION ACT OR THE LONGSHORE AND HARBOR WORKERS' COMPENSATION ACT, AND TO PROVIDE PAYMENT OF INDEMNITY BENEFITS BY THE EMPLOYER UNDER THE SOUTH CAROLINA WORKERS' COMPENSATION ACT, THE LONGSHORE AND HARBOR WORKERS' COMPENSATION ACT, OR BOTH, FOR A PERIOD OF NO LESS THAN SIX WEEKS SHALL MAKE THE EMPLOYEE ELIGIBLE TO BE AWARDED A LUMP SUM PAYMENT UNDER THE SOUTH CAROLINA WORKERS' COMPENSATION ACT PROVIDED CERTAIN OTHER PROVISIONS OF THAT ACT ARE FOUND BY THE SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION TO HAVE BEEN SATISFIED.

03/28/19 House Introduced and read first time (House Journal-page 49)

03/28/19 House Referred to Committee on Judiciary (House Journal-page 49)

04/02/19 House Member(s) request name added as sponsor: Garvin, Simrill